Preparing tomorrow’s lawyers today: graduate attributes in first year law

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Outline

• Graduate attributes in first year – why?
• Implementation – how?
  ➢ Embedding in first year subject materials, using scaffolding approach
  ➢ Self-driven development
• Discussion
The rationale for implementing graduate attributes in first year

• Organic/osmosis mentality is not enough
• Motivation theory supports having clear goals and a defined process towards attainment
• Foundational learning begins in first year, and so should foundational graduate attribute development
• It makes legal educators work in teams rather than subject ‘silos’ which has quality outcomes
Implementation

• Threshold issues –
  - stand-alone subject or curriculum-integrated approach? (or self driven?)
  - specialist staff or all staff?

• Pedagogically sound approach to combine embedding in subjects with self-driven engagement and development
Embedded in first year subjects

• School/faculty develops discipline specific attributes, maps across course, decides which attributes developed in first year and to what level

• First year teachers negotiate which attributes to develop in which first year subjects: teach, practice, assess
Embedded in first year subject materials

• Teaching and learning materials must support both content and attribute development

• Text design, approach and style need to take into account the readership
‘It is better to use a first year text to engage and inspire students than to scare the hell out of them’
Statutory Interpretation: How do Courts Interpret Legislation?

WHAT YOU WILL LEARN

- What statutory interpretation means and why it an important skill to have
- How modern courts interpret legislation using interpretation acts
- How traditional approaches to statutory interpretation still play a role
- Which parts of a piece of legislation are used in interpretation
- How to use other documents in interpreting legislation
- How to work out the purpose of a piece of legislation
- How to solve statutory interpretation problem questions
- How case analysis and statutory interpretation go together in practice
Connecting with Law
Michelle Sanson, David Worswick, Thalia Anthony

Connecting with Law covers the foundations of law in an interesting and thought provoking way, challenging students to think critically, question ideas, and connect with law. It provides students with a broader context which allows them to start thinking about the values law embodies and their relationship to society. This fresh approach to introductory law is designed to engage students with contemporary examples and case studies they can relate to, and which help them understand the law.
Law as a discipline

- Law is an autonomous discipline - separate from politics, morality, religion
- A structured, logical, systematic discipline
- ‘Thinking like a lawyer’: non-assumptive thinking, fact over emotions, tolerance of ambiguity, ability to make connections between facts, documents and laws, verbal mapping and ordering, automatic devil’s advocacy
Legal reasoning

- Inductive – from specific to general
  
  eg. This dog has a tail.  
  That dog has a tail.  
  The other dog has a tail. 
  Therefore, all dogs have tails.

- Deductive – from general to specific
  
  eg. All drug addicts are criminals.  
  Jodie is a drug addict.  
  Therefore, Jodie is a criminal.
Legal Problem Solving: a framework

Chapter 11 of *Connecting with Law* introduced you to numerous classifications of law: civil and criminal, civil law systems and common law systems, substantive and procedural systems, and so on. This chapter also explained the basics of the kinds of topics that you will study in a law degree.

This note is to get you to think about a framework for solving those legal problems. After all, one of the many purposes of legal systems is to solve legal problems. It is important when thinking about a legal career to remember that although you are an advocate within a largely adversarial system (the ‘hired gun’), you are engaged to solve problems for your client. You may not realise this, but this skill is being taught to you every week at Law School in your tutorials, seminars and assignments.
Welcome to the Connecting with Law Film Competition – Take 2 for 2009.

We invite you to submit a short film (between 2 and 5 minutes) about law or the study of law. The winners will be those judged to be the most creative, instructive and original – anything that helps other students connect to the law.

This competition is open to all students currently enrolled in an Australian Law School. Please note: non-law students can be involved, however at least one student per group must be studying a law subject.

Entries close Friday 31st July 2009.
Self-driven graduate attribute engagement and development

• Self-paced workbook:
  – Explanation of graduate attributes
  – Benchmarking
  – Entry level exercises to deepen understanding
  – Map of attribute development across the course

• Ideally backed up with online portal with materials for each year/stage in the course
Graduate Attributes

What are graduate attributes?
Graduate attributes are the characteristics and qualities, skills and capabilities possessed by students.

Why do we have them?
Because being a successful law graduate in today’s world requires more than just knowing the law and
Graduates need to be able to think critically, to analyse information and its source, to behave professionally.
Graduates need to be ready to thrive and survive in a workplace that is more technologically-dependent

How were they developed?
UTS surveyed successful graduates in the early stages of their career across a wide range of professional
We at UTS/LAW took the attributes framework devised at the University level and tailored it to law.

What does this workbook do?
• It introduces each of the graduate attributes
• It enables you to benchmark yourself against them
• It provides initial explanations and exercises for developing the attributes
• It shows you where you will develop the attributes across your degree

When can I start?
Now – this workbook will get you started!

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Intellectual Attributes
1. Critical Thinking......Page 84 - 11
2. Analysis and Evaluation...Page 12 - 17
3. Spoken and Written Communication Page 18 - 23
4. Legal Research and Technological Literacy...Page 24 - 29

Professional Attributes
5. Disciplinary knowledge......Page 30
6. Lifelong Learning........Page 31
7. Ethical........Page 32

University of Western Sydney
Bringing knowledge to life
Spidergram
Critical Thinking

1. Critical Thinking

At UWS: We develop this attribute in 3 stages to give you an appropriate level of independent thinking, creativity and critical analysis.

Being a critical thinker

- A person proficient in this attribute can identify and apply themselves to problems and create new or imaginative perspectives or solutions.

- A critical thinker evaluates information by breaking it down and examining its component parts, or ideas, dispersed, disconnected, isolated and information and synthesizes them, or creates something new from them.

- To critically analyze something requires independent thinking and creativity. It involves making judgments as to the position adopted or rejected, and backing it up with evidence from the synthesized material.

Becoming a critical thinker

- Basic: Comprehending meaning in text and being aware of the relevance of the source of the information, the context of the material and where the material was created, gathering and synthesizing relevant information, and using basic skills such as comparing and contrasting.

- Intermediate: Being able to track the relevance and importance of sources of information, engage in deeper comparative analysis, being able to compare and contrast multiple English meanings and relationships in text, being able to track the application of themes and motifs throughout the work of various communicators, identifying assumptions, and developing a critical perspective on material.

- Advanced: Intermediate plus being able to analyze the context and assumptions underlying present theories and practices, reflect on the evaluation by reference to one's own perspectives, developing new perspectives and critically analyzing what they in turn have to offer.
FLAWS IN REASONING

Exercise – Try engaging in critical analysis by identifying assumptions and other flaws in reasoning in these five statements.

**Violence**

It is generally believed that escalating violence promotes solving violence. Statistics show that the most violent crimes occur in urban centers. Why is it so? Are urban centers really the hotbed for violence?

**Terrorists**

Terrorism is the greatest threat to international security. It is a tactic used by extremist groups to achieve their political goals. What are the possible consequences of terrorism for the global community?

**Innocence**

We should just make the decision—guilty or not guilty. I’m tired of hearing about it, it’s all the discussion about guilt and innocence is making me nervous.

**Studying**

Students who spend most of their time in the library are smarter and get better marks than those who spend a lot of time in the library.

**Disputes**

Cohabitation is more common because of the Divorce Prevention Journal, a periodical that publishes research on alternative dispute resolution. People often commented that mediation is better than litigation, as I don’t understand why they persist with the court system.

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**Recommended Reading**


READING CRITICALLY

Exercise - Critically analyse this fictitious paragraph.

Read between the lines?

A senior politician once wrote that “Agriculture is the lifeblood of any successful society.”

The United States of America knows the truth of that statement, being the world’s largest economy and having a significant agriculture industry.

A report by the American Farmers Association showed the contribution that the agriculture industry has to the wellbeing of Americans, and cautioned that American farmers should have income guarantees, so that the government should make up any shortfalls arising from fluctuations in crop size and price.

A survey by a journalist with the Sydney Morning Herald found that 75% of the world’s major economies have an agriculture industry.

Your analysis?


Read notes after you have finished


Recommended Reading


UWS Graduate Attributes

Graduate attributes comprise the knowledge, skills, perspectives, capabilities and qualities that you should possess by the time you graduate.

Click on each piece of the pie and read more on what the attribute is about [links to individual pages which contain headings like 'definition', and 'a person with the attribute ... does/says/is ...', and maybe a few quotes on why it is important]

My Portal

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Discussion

- General issue of graduate attributes in first year
- Strategies for implementation – scaffolding of materials, and self-driven strategies
- Other issues?